

**BOARD OF EDUCATION
MEETING**

San Marino Unified School District

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San Marino, CA 91108

Tuesday, May 12, 2020

Board of Education

Closed Session – 4:30 p.m.

Regular Session – 7:30 p.m.

MINUTES

1. **OPEN SESSION** 4:30 p.m.

2. **PUBLIC COMMENT SECTION - CLOSED SESSION**

No comments submitted.

3. **CLOSED SESSION** 4:30 p.m.

- a. Conference with Legal Counsel - Anticipated Litigation (Govt. Code 54956.9) (3)
- b. Conference with Legal Counsel - Existing Litigation (Govt. Code 54956.9)(2)
Student ID Numbers:XXXXXX4793 and XXXXXX9238
- c. Public Employee Discipline/Dismissal or Release (Govt. Code 54954.5(e)
pursuant to Govt. Code 54957 (b)(1)) Title: Certificated, Classified, Confidential,
Administrative
- d. Conference with Labor Negotiators (Govt. Code 54957.6)
- e. Public Employee Performance Evaluation (Govt. Code 54954.5(e) pursuant to
Govt. Code 54957) - Superintendent

4. **REPORT OF CLOSED SESSION**

Nothing to report.

5. **REGULAR OPEN SESSION** 7:30 p.m.

6. **CALL TO ORDER**

Board members present by roll call vote: Mr. Corey Barberie, Mr. C. Joseph Chang, Mrs. Lisa Link, Mr. Chris Norgaard, Mrs. Shelley Ryan and Student Board Member Grace Davis. Administrators present were Dr. Jeff Wilson, Dr. Stephen Choi, Mrs. Linda de la Torre, Mr. Jason Kurtenbach, and Ms. Amber Nuuvalli.

- a. Pledge of Allegiance
- b. Approval of Agenda

Moved for approval by Mr. Norgaard, seconded by Mr. Barberie
The roll call vote was as follows:

Mr. C. Joseph Chang Aye
Mrs. Lisa Link Aye
Mr. Chris Norgaard Aye
Mrs. Shelley Ryan Aye
Mr. Corey Barberie Aye
Student Board Representative Aye

Ayes: 5, Noes: 0
Abstention: 0
Preferential: 1

c. Approval of Minutes

April 28, 2020

Moved for approval by Mrs. Link, seconded by Mrs. Ryan
The roll call vote was as follows:

Mr. C. Joseph Chang Aye
Mrs. Lisa Link Aye
Mr. Chris Norgaard Aye
Mrs. Shelley Ryan Aye
Mr. Corey Barberie Aye
Student Board Representative Aye

Ayes: 5, Noes: 0
Abstention: 0
Preferential: 1

7. **PUBLIC COMMENTS**

a. Communications from the audience regarding matters not on the agenda.

Public Comments:

Ms. Lettie Aranda, President of SMTA, presented her comment to the Board regarding the budget video produced by the District. She commended the beautiful job that students do at reaching out and communicating with the community. However, she felt it important to address the reference to pensions as one of the three causes of the deficit noted in the video. She wants everyone to understand that the money the state allots to the District is earmarked for teachers. Pensions are not granted, teachers put away for them. SMUSD teachers have not had a raise for four years and the District ranks 14 out of 19 in comparable districts. She also indicated that while underfunding may be true, LCFF was known 10 years ago or more and to say that it is recent is disingenuous. Teachers appreciate the efforts that are being made, but she finds it heartbreaking that the shortcomings land on the teachers and their pensions. Ms. Aranda reiterated that the videos are gorgeous and inspiring and that she appreciates the effort and purpose of them, but SMTA wishes that teachers would be included beforehand so that they could appear to be on the same team rather than not.

8. **CONSENT AGENDA**

- a. Certificated Personnel Documents
- b. Classified Personnel Documents
- c. Contracts and Agreements Report 2019-20 #22
- d. Donation Report 2019-20 #10
- e. Purchase Order Report 2019-20 #16
- f. Resolution No. 18 - 200 Maximum Word Limitation for Candidates' Statements for the November 3, 2020 Board of Education Regular Election
- g. Warrant Report 2019-20 #10

Moved for approval by Mrs. Link, seconded by Mr. Norgaard
The roll call vote was as follows:

Mr. C. Joseph Chang Aye

Ayes: 5, Noes: 1

Mrs. Lisa Link Aye
 Mr. Chris Norgaard Aye
 Mrs. Shelley Ryan Aye
 Mr. Corey Barberie Aye
 Student Board Representative Aye

Abstention: 0
 Preferential: 1

9. **COMMUNICATION SECTION**

a. Communications from the Board

Following is a list of events attended by the Board members:

Lisa Link

4/30 Participate in Titan Wellness Center online meeting
 5/8 Attend Closed Session meeting online
 5/9 Participate in San Marino Schools Foundation meeting online
 5/11 Participate in San Marino Schools Foundation meeting online

Numerous communications via email and phone from District staff and community members regarding proposed reductions in positions and other matters.

Chris Norgaard

4/29 Schools Foundation Meeting
 5/1 LACSTA Executive Board Meeting
 5/4 LACSTA Meeting: presentations by, discussions with Dr. Debra Duardo, L.A. County Superintendent of Schools, and Linda Wah, Pasadena City College Board of Trustees, President of California Community College Trustees Board
 5/11 Schools Foundation Special Board meeting

Communications with Dr. Duardo and LACOE Chief Academic Administration Officer regarding changes in statutes, etc. to assist SMUSD and other districts.

Communications with community members and stakeholders regarding School District issues

Communications with Schools Foundation leaders, community members and stakeholders regarding the We are San Marino campaign

Corey Barberie

5/8 Special Board Meeting

Spoke to/read emails from many community members and alumni providing input on what they would like our District to look like next year and in support of specific programs and teachers.

Shelley Ryan

4/29 Webinar on Legal Requirements for Transgender Students
 4/29 Check-in with Superintendent
 4/29 Check-in with Community Members
 4/29 Consult with Communications Officer
 4/30 Zoom into MDD Class
 5/1 Check-in with Community Members
 5/2 Zoom Meeting with AAPA
 5/3 Zoom APISBMA Board Meeting
 5/6 IEP Zoom Meeting
 5/6 Chat with Daryl Topalian

- 5/8 Met with Amber Nuuvalli at HMS
- 5/8 School Board Special Session
- 5/12 1st Grade Zoom Story Time
- 5/12 IEP Zoom Meeting
- 5/12 PBIS Webinar
- 5/12 Check-in with Community Members
- 5/12 Board of Education Meeting

C. Joseph Chang

- 4/29 SMSF Board Zoom Meeting
- 4/30 SM Rotary Weekly Zoom Meeting
- 4/30 SMHS Wellness Zoom Meeting
- 5/1 Meeting with Dr. Wilson
- 5/1 SMSF EC Zoom Meeting
- 5/6 Zoom Meeting with Mr. Topalian, Dr. Wilson, and Ms. Ryan
- 5/6 Caltech Associate Board Teleconference Meeting
- 5/6 FiRST Zoom Meeting
- 5/8 Special School Board Meeting
- 5/9 SMSF EC and Board Zoom Meeting

b. Communications from the Superintendent

Dr. Jeff Wilson announced that Mr. Daryl Topalian will be serving as the Interim Principal at Huntington Middle School for the 2020-21 school year. The District has confidence that Mr. Topalian's heart for middle school kids and his stellar career in middle schools will make for a great transition.

He reported that he has been spending a lot of time on Zoom meetings with staff, fellow superintendents, the county, and state.

Dr. Wilson expressed appreciation of the 1,157 citizens and friends who have given to the SMSF We Are San Marino Campaign. He thanked the teachers and counselors and partners at CSEA and SMTA for their communications and support and for partnering together with the District during these challenging times. He also thanked the parent community, alumni, and students for actively reaching out to convey thoughts and feelings with the Board and Administration. He is proud of the Board and staff for the endless hours and hard work of listening and considering all facets of the issues the District is facing. Dr. Wilson also extended his gratitude to SMSF President Erin Bilvado for her time, efforts, and many hours spent on calls with him.

c. Communications from the Student Board Member

- 5/1 Valentine Virtual May Day Celebration
- 5/4-8 Carver Appreciation Week
- 5/4-8 SMHS Virtual Spirit Week
- 5/4-8 SMHS Teacher Appreciation Week
- 5/11 SMHS New ASB Released
- 5/11-22 SMHS Update AP Exams

10. INFORMATION ITEMS

a. Board Policy 5121.1 Grades/Evaluation Of Student Achievement under Emergency Conditions

Dr. Jeff Wilson presented BP 5121.1 as a first reading for Board discussion. The policy serves as an Emergency Board Policy for grades and evaluation of student achievement under emergency

conditions. He indicated that positive feedback has been received from the community and he is proud of staff for working together to create a powerful policy.

Public Comments:

Ms. Jamie Linton, SMHS teacher, presented her comment to the Board regarding BP 5121.1. She addressed concerns over two issues including, the no grade drop from Quarter 3 and the removal of the F grade from the scale. She requested that the Board consider using two clauses La Cañada used in their expectations for distance learning and grading. She also requested that the last line in paragraph two of the high school section be omitted if the policy remains as is with no consideration of an F grade.

Ms. Lettie Aranda, SMTA President, presented her comment to the Board regarding BP 5121.1. She wanted to make it clear that the policy was not removed from the April 28 Board agenda because of SMTA bargaining. SMTA has asked to be consulted whenever policies are presented. She stated that there is value in the process when it is clear and all understand that they are working toward the same objective. With that in place there shouldn't be worry about what is presented, and SMTA wants to be sure the Board receives the most informed information. She encouraged the District to include teachers and bring them into dialog.

Ms. Jessica Bulgin, Vice President and Bargaining Chair of SMTA, presented her comment to the Board regarding BP 5121.1. She addressed incorrect information the Board received regarding SMTA's participation in the development of BP 5121.1 which has led to some misunderstanding. To correct the misunderstanding in the most legally appropriate way she provided correction through public comment. She reported that SMTA did not submit a demand to bargain at the 11th hour, but had in fact submitted a demand to bargain and consult regarding any plans and actions resulting from the COVID outbreak and its impact on working conditions on March 20. In addition, SMTA requested to be involved in the development of a grading policy at a meeting on April 2 with the Superintendent and Assistant Superintendent. She stated that the second misunderstanding is that SMTA agreed to the grading policy being presented to the Board. She reported that SMTA and the District did come to an agreement, however the language agreed to was not brought to the Board for approval. What was presented to the Board for first reading is quite different than what was previously agreed to. SMTA and the District have a long standing history of diligent, respectful, and productive negotiations that have afforded collaboration and positive results. She stated that SMTA strongly urges the District to return to the bargaining process that adheres to basic expectations that meet the needs of all teachers and students.

Board Comments:

A Board member addressed the language in lines 68-78 regarding the middle schools documentation of the number of attempts made to contact parents. Dr. Wilson responded that the policy does not outline the details that an Administrative Regulation might. This detail would be locally controlled by HMS teachers working with the Principals. The Board member requested that the communication be clear and specific to build a partnership with the home.

11. ACTION ITEMS

a. Board Policy 5117 Interdistrict Attendance

Mrs. Linda de la Torre presented BP 5117 as a second reading for Board discussion and approval.

Board Comments:

A Board member indicated that they have received positive feedback regarding the legacy policy and that it has been well received.

A Board member asked how the community will be informed about the policy. Dr. Wilson indicated that there will be a comprehensive communication package by the District to the community. Once the policy is approved by the Board, applications for enrollment can be submitted.

A Board member stated that the policy recognizes the current reality that many younger families cannot afford to buy \$2M+ homes in San Marino, and it gives the opportunity to community members who have participated and supported the District over the years.

A Board member thanked Dr. Wilson and Cabinet for bringing the policy before the Board, as it has been long awaited and serves to build a sense of community.

A Board member asked if the student still needs to obtain a release from the resident district when the application for interdistrict transfer is made and how districts are responding to such requests. Mrs. de la Torre responded that initially the student would need to obtain a release and thereafter they would be treated like resident students. Dr. Wilson stated that response depends on the district but added that the county has a propensity to rule in favor of the release especially with K-8 students when an appeal is submitted. Child care provisions in the law also have an impact. A Board member commented that the county board rules about 60% in favor of the releases in these cases.

Moved for approval by Mrs. Link, seconded by Mrs. Ryan

The roll call vote was as follows:

Mr. C. Joseph Chang	Aye	Ayes: 5, Noes: 0
Mrs. Lisa Link	Aye	Abstention: 0
Mr. Chris Norgaard	Aye	Preferential: 1
Mrs. Shelley Ryan	Aye	
Mr. Corey Barberie	Aye	
Student Board Representative	Aye	

b. Resolution No. 17 - Resolution Authorizing and Approving the Borrowing of Funds for Fiscal Year 2020-21; The Issuance and Sale of a 2020-21 Tax and Revenue Anticipation Note (TRAN) Therefor and Participation in the California Education Notes Program - Second Reading

Mrs. de la Torre presented the second reading of Resolution No. 17 for Board discussion and approval. It is recommended that the District issue a TRAN in an amount not to exceed \$6.8M.

Board Comments:

A Board member reiterated that this is a typical process for a district the size of SMUSD. The cost is fairly low and the funds do gain a bit of interest. Expenditures exceed the rate that the revenues come in and this bridges the gap. The loan is paid back every year.

A Board member asked if it is built with the notion that it is unclear what will happen with May Revise and opening of school, and if it would help with additional costs incurred. Mrs. de la Torre responded that it will help with cash flow and cannot be used for other expenditures in the budget.

Moved for approval by Mr. Barberie, seconded by Mrs. Link

The roll call vote was as follows:

Mr. C. Joseph Chang	Aye	Ayes: 5, Noes: 0
Mrs. Lisa Link	Aye	Abstention: 0
Mr. Chris Norgaard	Aye	Preferential: 1

Mrs. Shelley Ryan Aye
Mr. Corey Barberie Aye
Student Board Representative Aye

c. Resolution No. 21 - Resolution of the Governing Board of the San Marino Unified School District Approving Assignment of Delinquent Tax Receivables to the California Statewide Delinquent Tax Finance Authority for Fiscal Years Ending June 30, 2020, 2021, and 2022, and Authorizing Execution and Delivery of Related Document and Actions

Mrs. Linda de la Torre presented Resolution No. 21 and recommended Board Approval. The amount received from delinquent property taxes is typically low, however \$15K was received in December and \$281K has been received from 2002 to the current period.

Board Comments:

A Board member summarized that other districts join together to do this as a standard practice and that a benefit to the District is received. Mrs. de la Torre confirmed.

Moved for approval by Mrs. Link, seconded by Mrs. Ryan

The roll call vote was as follows:

Mr. C. Joseph Chang	Aye	Ayes: 5, Noes: 0
Mrs. Lisa Link	Aye	Abstention: 0
Mr. Chris Norgaard	Aye	Preferential: 1
Mrs. Shelley Ryan	Aye	
Mr. Corey Barberie	Aye	
Student Board Representative	Aye	

d. Resolution No. 22 - Resolution Approving Service of Final Notices of Layoff (ED. CODE 44949, 44955)

Mrs. Linda de la Torre presented Resolution No. 22 for Board discussion and approval. Due to the District's current budget deficit and lack of funds, it was originally proposed that 14 employees be served final notices of layoff. However, SMSF President Ms. Erin Bilvado and SMSF Director Mr. James Lau reported that the Foundation's We Are San Marino Campaign had raised \$805K which has been approved for disbursement to the District. Therefore, action was taken to rescind notices to 8.6 FTE and to amend the resolution to provide final notices to the following employees:

1. Kristopher Good (0.4 FTE only)
2. Zainab Mandani (0.8 FTE only)
3. Serafina Palazzolo
4. Katherine Simpson
5. Jessica VanderBaan

Mrs. de la Torre addressed the District's budget challenges and reported that in July 2019 the budget deficit was at \$2.5M and by December 2019 that deficit had increased to \$3M. Factors leading to the District's deficit include:

- Costs associated with unanticipated Special Education legal settlements
- Increased applications for senior citizen parcel tax exemptions
- Ongoing increased pension costs for both CalSTRS (certificated retirement system) and CalPERS (classified retirement benefits), which will continue to increase annually, approaching 25% and 28%, respectively
- Increased health and welfare costs for employees

She also provided an outline of steps the District has taken to mitigate the deficit which have included:

- Expenditure Reduction Team - Began weekly meetings in the summer of 2019, to review master schedules and personnel costs. School site leaders and departments were challenged to reimagine how to deliver the same quality of service at a decreased cost. Over 80% of district expenditures are tied to personnel costs, making reductions necessary to maintain a balanced budget.
- Review of Org Charts and Reorganization - Reduction of District Administration Staff
- PARS Retirement Incentive and Reduction in Force

There are many variables that will come into play between now and August, including the Governor's May Revise and the anticipation of additional substantial reductions in August.

The Foundation will continue to pursue the Campaign through the end of May and will work around the clock to restore the remaining positions. They indicated that 1,400 families are still being targeted for donations.

Public Comments:

Ms. Margarita Cobos, department chair for world languages at SMHS, submitted a comment in support of the Japanese program and teacher Mr. Eiji Yano. The program makes SMHS unique from other area high schools. Offering two languages would leave SMHS less competitive than other schools that offer three or four.

Ms. Carolyn Holt, SMHS senior, submitted a comment in support of the Japanese program and teacher, Yano Sensei. She reported that studying Japanese with Mr. Yano has been one of the best experiences of her high school career and stated that he is inspiring and committed to his work as a teacher. She added that providing multiple foreign language courses in high school is critical to culturally enriching the student body.

Ms. Ashley Muranaka, submitted a comment in support of the Japanese program and teacher, Yano Sensei. She stated that Mr. Yano taught more than the language, he made learning personal and was encouraging. He helped her connect with her family's culture, facilitated community in the classroom, taught discipline, and valuable life lessons.

Hwannie Shen, submitted a comment in support of the HMS band program and Ms. Simpson. She stated that Ms. Simpson is an energetic, inspiring, and dedicated teacher who truly cares about the educational and personal development of her students. Parents seek out private schools when the District strips away valuable enrichment programs and refuses to stand behind its most inspiring educators.

Mr. Dexter Winn, submitted a comment in support of the Japanese program and teacher, Yano Sensei stating that Mr. Yano shares his life experiences and wants students to learn from them. He pushes them to not only to be good students but good people

Mr. John Carter, student alumni, submitted a comment in support of the Japanese program and teacher Yano Sensei. He recognized Mr. Yano's hard work as a teacher and his ability to inspire a passion for the language which also motivated him to enroll in Japanese classes in college.

Mr. Luke Jaing, SMHS student, submitted a comment in support of the Japanese program and teacher Yano Sensei. As a third year Japanese student he advocated for the incomparable experience that the program and Yano Sensei provide. Mr. Yano connects with each student on an

individual level as a mentor, friend, and confidant and provides devoted and involved instruction. Losing the program and providing fewer options would be detrimental to students.

Ms. Joanna Chou, SMHS student, submitted a comment in support of the Japanese program and teacher Yano Sensei. She believes Mr. Yano is an irreplaceable part of the high school community as he develops extremely unique connections with his students. He is a caring, intelligent, and devoted teacher who has worked hard to build the Japanese program up to the inclusive and distinctive community it currently is.

Mr. Bryce Tobiano and Ms. Elise Hong SMHS students, submitted a comment in support of science teacher Ms. Park. They stated that with her impact on the curriculum and admiration from the students, she has become irreplaceable and her absence would only hurt the potential of all current and future SMHS students.

Mr. Wheeler Smith, SMHS student, submitted a comment in support of the Japanese program and teacher Yano Sensei, stating that Mr. Yano is one of the best and most supportive teachers he has ever had.

Mr. Nathan Leung, presented a comment in support of the Speech and Debate program. He thanked the Foundation for their support and effort to save programs and teachers. He stated that Speech and Debate helps students to develop thoughts, think faster, and build confidence in speaking. If the program is cut, students miss out on a valuable opportunity.

Mr. Matt Spence, alumni student, presented a comment in support of the Speech and Debate program. He indicated that the program was instrumental to his success academically and in his business career. The skills learned in Speech and Debate prepared him for his career in public service and national security at the White House. The program allows students to reach dreams and experiences and to build lifelong connections.

Ms. Lettie Aranda, SMTA President, presented her comment asking if the numbers provided on the presentation are salaries only or if they include benefits. She also asked for clarification on the process as she would like to better understand the next steps.

Mr. James Shechet, class of 2010, presented a comment in support of the Speech and Debate program. He found the program very impactful to his career success and spoke of the attributes and devotion of Mr. Slimp. He stated that the outcomes exceed the resources put into it as the impact of the program is far reaching in the skills it builds in students for life after high school. He credits the program for steering him on a path that he is very grateful for 10 years later.

Ms. Rachel Yang, class of 2011, presented a comment in support of the Speech and Debate program. She addressed the directly transferable skills such as research and writing and the ability to think quickly as benefits of the program, and reported that being a confident and effective speaker has had a direct payoff on her career success. She attributes the program as the best college and career preparation she had in high school.

Mr. Kyle (last name unknown) presented comments regarding Yano Sensei and Mrs. Park. He recognized the attributes of each teacher and noted the losses that would be evident if they were no longer teaching at the District.

Ms. S. James, class of 2012, presented a comment regarding the Speech and Debate program. She stated that an important function of education is shaping the minds of youth and credits Speech and Debate as doing an incredible job of shaping students into thoughtful, effective, and compassionate individuals and encouraging students to live lives of value, virtue, and service to the community.

Ms. R. Engh, presented a comment regarding Mrs. Park. She indicated that Mrs. Park is the most supportive teacher that she has encountered and noted how she connects with students by engaging in their activities and making herself available to them.

Mr. Oscar Wang, class of 2010, presented a comment in support of the Speech and Debate program. He addressed the common and forceful message being sent by all advocating, noting that Speech and Debate is not just an activity or program but a transformative experience that is carried forward in the lives of students. It is a program that should be kept available for future generations. Speech and Debate is a 21st Century activity that provides skills that lead to job readiness and success.

Board Comments:

Board members acknowledged the hard work and research that has been done by Administrators and staff and acknowledged the challenges faced in making such decisions.

Board members expressed their appreciation of community members who have contributed to the campaign and for all of the students and former students who have written in and spoke out in support of programs and teachers.

The Board thanked the SMSF leadership for driving the campaign, the students who started the conversations and noted that connections will continue to be built and conversations held moving forward.

Student Board Representative Davis expressed appreciation for the efforts being made to save the VAPA programs and teachers. She acknowledged that the fight isn't over and recognized the support evidenced to save the Japanese language program and teacher.

With the Foundation continuing the campaign through May 31, and the potential for more money being raised, the Board will continue to look at bringing back positions.

Mr. Barberie moved to approve Resolution 22 amended to reflect the rescinded positions as discussed.

Moved for approval by Mr. Barberie, seconded by Mrs. Link

The roll call vote was as follows:

Mr. C. Joseph Chang	Aye	Ayes: 5, Noes: 0
Mrs. Lisa Link	Aye	Abstention: 0
Mr. Chris Norgaard	Aye	Preferential: 1
Mrs. Shelley Ryan	Aye	
Mr. Corey Barberie	Aye	
Student Board Representative	Aye	

12. BOARD-SUPERINTENDENT DISCUSSION ITEMS

Dr. Wilson thanked Mrs. de la torre and Ms. Judy Correnti for their hard work day and night over the last several weeks, and thanked the Board for coming together to make these difficult decisions.

13. ADJOURNMENT

There being no need to return to Closed Session, the meeting was adjourned at 10:35 p.m.

Unadopted

Dr. Jeff Wilson
Superintendent
Secretary to the Board